

**EXHIBIT A**

**DELPHI CORPORATION**

**REVISED POLICY CONCERNING MEDICAL INQUIRIES TO  
SUBSTANTIATE NON-WORK-RELATED INJURIES, ILLNESSES OR  
DISABILITIES**

**EFFECTIVE MAY --, 2009**

Delphi Corporation ("Delphi") has the managerial right to ensure that its employees are not absent from work without reasonable cause. Accordingly, when Delphi attempts to substantiate employee absences due to non-work-related injuries, illnesses or disabilities, it may require employees to provide a note or other written communication signed by a physician stating that the physician examined the employee on a particular date and determined that the employee was not able to perform his/her normal job duties on each of the dates that the employee was absent. Delphi will not require anything more than this physician's note or written statement to substantiate an absence due to non-work-related injury, illness or disability, except in the following situations:

1. For employees who in the preceding eighteen months have been absent from work due to illness/disability on at least eleven (11) instances (an instance is an occasion on which an employee is absent, regardless of the number of days of the absence), Delphi may require a statement from the employee's physician describing the employees' diagnosis, symptoms, and medical incapacity and may require medical records or other appropriate medical verification of the employee's diagnosis, symptoms, and medical incapacity. Note: Approved FMLA leave and absences authorized as a "reasonable accommodation" under the

ADA will not be considered in deciding whether an employee falls within this exception.

2. For employees with five (5) or more absences within the past nine (9) months that extend weekends, vacations, or holidays or appear to be related to major sporting events or other matters not related to Delphi business, Delphi may require a statement describing the employee's diagnosis, symptoms, and medical incapacity and may require medical records or other appropriate medical verification of the employee's diagnosis, symptoms, and medical incapacity. Note: Approved FMLA leave and absences authorized as a "reasonable accommodation" under the ADA will not be considered in deciding whether an employee falls within this exception.

Any request for information or records describing an employee's diagnosis or symptoms that is permitted by and made pursuant to this Policy shall be made by a physician or other licensed medical personnel employed by, or otherwise retained to provide services to, Delphi. Delphi may also require an employee to sign a release that complies with all applicable federal, state or local laws, authorizing Delphi to obtain information and records as authorized by this Policy.

NOTE: There are other situations and circumstances where Delphi may be permitted to make inquiries about an employee's medical condition, provided that those inquiries are job-related and consistent with business necessity under the ADA (for example, inquiries related to the administration of its benefit plans or leave of absence policies as well as inquiries required or permitted by the Family and Medical Leave Act and its implementing regulations or required or permitted by any other applicable laws or regulations). This policy does not apply to those situations and circumstances.

**EXHIBIT B**

**Employee ID Numbers for Current Delphi Employees Identified Pursuant to**

**Section 202(b) of the Consent Decree:**

Dale F-C: 7081283  
Daniel A: 7017555  
James S: 7030264  
Jeffrey P: 7036558  
Heidi M: 7001322  
Jeffrey L: 7008382

## Exhibit C

### NOTICE TO ALL U.S. EMPLOYEES OF DELPHI CORPORATION

The U.S. Equal Employment Opportunity Commission (EEOC) and Delphi Corporation have entered into a Consent Decree settling EEOC allegations that Delphi made medical inquiries in relation to employee absences from work that violated the Americans with Disabilities Act (ADA). Delphi denies any ADA violations, and there is no finding or admission of liability in the Consent Decree. Pursuant to the Consent Decree, however, Delphi, has agreed to take certain actions regarding medical inquiries.

Under the ADA, employers are prohibited from making medical inquiries that are not job-related and consistent with business necessity. The ADA also prohibits retaliation against any employee who files a charge of discrimination, who opposes unlawful activity, or who cooperates in the investigation of a charge or otherwise exercises her or his rights under the law.

The terms of the Consent Decree provide that Delphi:

1. Refrain from making medical inquiries that the ADA prohibits and from retaliating against any person who claims that Delphi has made a prohibited medical inquiry;
2. May continue to substantiate employee absences due to non-work related injuries, illnesses or disabilities by requiring employees to provide a note or other written communication signed by a physician stating that the physician examined the employee on a particular date and determined that the employee was not able to perform his/her normal job duties on each of the dates that the employee was absent, but may not make additional medical inquiries to substantiate absences due to non-work-related injuries, illnesses, or disabilities, except under certain specified circumstances;
3. Adopt and distribute a policy describing circumstances under which Delphi may make medical inquiries in relation to absences due to non-work-related injuries, illnesses, or disabilities;
4. May continue to make inquiries which are job-related and consistent with business necessity under the ADA (including inquiries related to the administration of its benefit plans or leave of absence policies as well as inquiries required or permitted by the Family and Medical Leave Act). The Consent Decree does not apply to those situations and circumstances;
5. Provide training to certain current and future employees on the ADA's prohibition on medical inquiries, the policy on medical inquiries, and the procedures for asserting employee concerns or complaints about improper medical inquiries;
6. Insure that employee medical information is stored separately and in a manner that it is only accessible to certain designated officials;
7. Expunge records of disciplinary action allegedly taken against certain employees because of their failure to comply with a request from Delphi to provide or release medical information to substantiate an absence due to a non-work-related injury, illness, or disability, if that request would not be permissible under the ADA;



8. Permit EEOC to monitor Delphi's compliance with the Consent Decree;
9. Provide periodic reports to EEOC regarding any discrimination complaints made by employees relative to allegedly improper medical inquiries;
10. Pay the individual claimant an agreed upon sum in settlement of his allegations;
11. Post this Notice and make the policy available to all employees.

Should you have a complaint of discrimination or harassment you may contact:

U.S. Equal Employment Opportunity Commission  
33 Whitehall Street  
New York, New York 10004  
New York Status Line: (866) 408-8075  
New York Direct Dial: (212) 336-3630  
TTY (212) 336-3622  
Website: <http://www.eeoc.gov>

You may also contact the Personnel Director for your facility or your union representative.

Dated: May \_\_, 2009

**THIS IS AN OFFICIAL NOTICE AND MUST NOT BE ALTERED OR DEFACED BY ANYONE  
OR COVERED BY ANY OTHER MATERIAL**

This Notice must remain posted for two years from the date shown above and must not be altered, defaced, or covered by any other material. Any questions concerning this Notice or compliance with its provisions may be directed to the U.S. Equal Employment Opportunity Commission at the numbers listed above.